

ACT MLAs should report allegations to police sooner: review | The Canberra Times

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Legislative Assembly members and their staff should be compelled to report to police within 24 hours any allegations of potentially illegal sexual conduct affecting children and young people, a review prompted by the handling allegations against former Greens MLA Johnathan Davis has found.

Lynelle Briggs was contracted to review the way the Greens handled allegations Mr Davis had an inappropriate, but not illegal, sexual relationship with a 17-year-old boy and had sex with a 15-year-old.

Mr Davis, who has declined to comment on all allegations, resigned on November 12 from the Greens and as a member of the Assembly.

Ms Briggs recommended the government consider a more approachable way for young people to report potentially criminal sexual activity, and raise the profile of police at schools and universities so young people "potentially prepared to report serious illegal sexual practices feel more comfortable in doing so".

Ms Briggs, a former Australian Public Service commissioner, recommended the Assembly provide clear guidance on the age of potential criminality, "namely that it is illegal to involve in sex and sexual touching, coercive sex of any kind and procuring or grooming a child under 16 and to share sexually explicit images under age 18 and/or in relation to those under 18".

"Overall, I think it is fair to say that the Legislative Assembly has a comprehensive suite of policies, procedures and advisory arrangements available to Members and their staff," Ms Briggs wrote.

"With some adjustments, those arrangements can be enhanced as a result of this review, but in the end, it will always be up to Members and their staff to use the resources available to them in taking their decisions.



📷 Lynelle Briggs, the former Australian Public Service commissioner who reviewed the handling of allegations levelled against Johnathan Davis. Picture by Sylvia Liber

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"To do that, they need to see the health and safety of children and vulnerable young people as their primary consideration and motivation."

Assembly policies should also be updated to require an immediate report of allegations of this kind to the Assembly's commissioner for standards.

"The Greens Party Room need to amend their policies and practices and their candidate selection processes to ensure that their governance arrangements comply with Assembly policies and procedures, best practice in terms of handling allegations against their Members, and the Parliamentary and Governing Agreement," Ms Briggs recommended.

The Assembly should also update its codes of conduct, including adding a provision that bans members from behaving in a way that would bring the Assembly into disrepute.

Greens MLAs and staff need to be retrained in Assembly policies and procedures and the Assembly needs to review the supports available for victims outside of the Assembly who are reporting inappropriate behaviour by members.

Those victims need to be given "they are given trauma-informed support and offered support to receive various forms of victim support available in the community, including through the Commissioner of Victims Rights".